

DavisPolk

Greg D. Andres
+1 212 450 4724
greg.andres@davispolk.com

Davis Polk & Wardwell LLP
450 Lexington Avenue
New York, NY 10017
davispolk.com

March 16, 2023

Re: *Tao An v. Despins*, No. 22-cv-10062

Via ECF

Honorable Valerie E. Caproni
United States District Court
Southern District of New York
New York, New York 10007

Dear Judge Caproni:

We represent the Defendants, Luc A. Despins and Paul Hastings LLP, in *Tao An v. Despins*, No. 22-cv-10062 and are writing to update the Court regarding a key person in this litigation. Yesterday, the U.S. Attorney's Office for the Southern District of New York unsealed a twelve-count indictment charging Ho Wan Kwok with orchestrating an over \$1 billion dollar fraud conspiracy. As explained in Defendants' motion for Rule 11 sanctions against Plaintiffs and Plaintiffs' counsel (ECF No. 12), the complaint filed against Defendants is part of a larger campaign of harassment orchestrated by Mr. Kwok seeking to intimidate Mr. Despins from performing his role as the court-appointed Chapter 11 Trustee in Mr. Kwok's ongoing federal Chapter 11 bankruptcy case. In support of its motion to detain Mr. Kwok pending trial, the government cites Mr. Kwok's harassment of Mr. Despins and Paul Hastings in connection with Mr. Kwok's bankruptcy case. *See United States v. Kwok*, 23-cr-00118-AT, ECF No. 7 (Exhibit C hereto) at 12-15. The government is moving to detain Mr. Kwok because he poses an ongoing economic danger to the community, a serious risk of obstruction in the future, and a substantial risk of flight. *See id.* at 17-21.

The government's press release and indictment, as well as the detention letter (without its attachments), are attached hereto.

Respectfully submitted,

/s/ Greg D. Andres
Greg D. Andres

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Electronic Filing